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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/810,304 | 03/16/2001 | Arthur W. DeTore | 16715/82373 | 9103 |

7590 10/28/2005
Barnes & Thornburg
600 One Summit Square
Fort Wayne, IN 46802

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| EXAMINER |
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OUELLETTE, JONATHAN P

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| ART UNIT | PAPER NUMBER |
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3629

DATE MAILED: 10/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/810,304

Applicant(s)

DETORE ET AL.

Examiner

Jonathan Ouellette

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 19-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Claims 1-18 have been cancelled, and claims 19-32 have been added; therefore Claims 19-32 are now pending in application 09/810,304.

Claim Rejections - 35 USC § 101

2. The rejection of Claims 1-18 under 35 U.S.C. 101 is withdrawn due to applicant amendments.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. **Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Asplen, JR. (US 6,044,354).**
5. As per independent Claim 19, Asplen discloses a method of structuring contents of an unstructured domain so as to impart value to the domain, comprising the steps of:
identifying a plurality of elements of information associated with an unstructured

domain; developing an initial domain model for utilizing the plurality of elements of information associated with the domain to create value (idea assessment); developing an estimate of costs associated with developing a knowledge map cataloging and describing at least some of said elements of information associated with the domain (opportunity assessment), and developing an estimate of the value of said knowledge map; comparing the estimates of costs and value and, based on said comparison, performing at least one of the steps of: storing and maintaining said model and said plurality of elements of information; and developing and storing the knowledge map so as to add structure and impart value to said domain (business plan; Abstract, Figs 1a-5, Claim 1).

6. As per Claim 20, Asplen discloses wherein the step of developing an initial domain model comprises at least one of the steps of defining an organizational scope, defining a content scope, defining a process scope, and defining economic factors relating to the domain.
7. As per Claim 21, Asplen discloses wherein the step of defining the organizational scope comprises the step of identifying elements of an organization affected by one or more of the plurality of elements of information associated with the domain.
8. As per Claim 22, Asplen discloses wherein the step of defining the content scope comprises the step of identifying at least some of the plurality of elements of information as one of explicit content (actual product) and implicit content (product idea).
9. As per Claim 23, Asplen discloses wherein the step of identifying at least some of the plurality of elements as explicit content further comprises identifying at least some of said elements of information as at least one of online information and offline information.

10. As per Claim 24, Asplen discloses wherein the step of defining a process scope comprises the step of identifying a business process that can be improved by structuring contents of the unstructured domain.
11. As per Claim 25, Asplen discloses wherein the step of defining economic factors includes at least one of the steps of identifying costs associated with identifying and gathering at least some of the plurality of elements of information associated with the domain, identifying costs associated with detecting errors and taking actions to avoid and correct errors, identifying communication costs, and identifying costs associated with maintaining the plurality of elements of information.
12. As per Claim 26, Asplen discloses wherein the step of defining economic factors further comprises developing an economic model for use in developing the estimates of costs and value associated with developing the knowledge map.
13. As per Claim 27, Asplen discloses developing an estimate of costs with developing a knowledge clearing house, which provides centralized access to online elements of information associated with the domain and a cataloging of offline elements of information associated with the domain, and developing an estimate of the value of said knowledge clearing house; comparing the estimates of costs and value developed in connection with the knowledge clearing house and based on said comparison, performing at least one of the steps of: storing and maintaining the model, said plurality of elements of information, and said knowledge map; and developing and storing the knowledge clearing house so as to add structure and impart value to said domain.

14. As per Claim 28, Asplen discloses wherein the step of determining an estimate of the value of said knowledge clearinghouse comprises the step of creating a model for determining how additional value will be created by structuring the domain beyond the knowledge map.
15. As per Claim 29, Asplen discloses wherein said knowledge clearing house provides direct access to explicit content of the domain.
16. As per Claim 30, Asplen discloses wherein said knowledge clearing house comprises offline content, software components, and online content.
17. As per Claim 31, Asplen discloses developing an estimate of costs associated with developing a knowledge network and developing an estimate of the value of said knowledge network; comparing the estimates of costs and value developed in connection with the knowledge network and based upon said comparison, performing at least one of the steps of: storing and maintaining the model, said plurality of elements of information, said knowledge map and said knowledge clearing house; and developing and storing the knowledge network so as to add structure and impart value to said domain.
18. As per Claim 32, Asplen discloses wherein said knowledge network comprises a software component for providing mediated access to and managing collaboration with experts, and for providing meeting management tools.


Response to Arguments

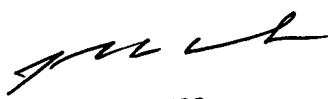
19. Applicant's arguments filed 6/2/03, with respect to Claims 19-32, have been considered but are not persuasive. The rejection will remain as FINAL, based on the cited prior art.

20. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.
21. The applicant makes the argument that the prior art fails to disclose developing estimates of costs associated with structuring (e.g., developing a knowledge map or clearing house) the plurality of elements of information identified as being associated with the domain.
22. However, Asplen does disclose a system for analyzing and developing company ideas (developing estimates of costs) into business products and plans (knowledge map or clearing house), which would cover the broad language/teachings used by the applicant.
23. The applicant also argues that the prior art fails to disclose comparing the estimates of costs and value and proceeding with developing the additional structure on the basis of that comparison.
24. However, Asplen does teach analyzing multiple aspects of the potential idea (costs vs. value) and developing a full business plan/product development (structure) for the idea.

Conclusion

25. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Ouellette whose telephone number is (571) 272-6807. The examiner can normally be reached on Monday through Thursday, 8am - 5:00pm.
26. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone numbers for the organization where this application or proceeding is assigned (571) 273-8300 for all official communications.
27. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Office of Initial Patent Examination whose telephone number is (703) 308-1202.


JO
October 17, 2005


JOHN G. WEISS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600